

RESOLUTION: 04-

**RESOLUTION OF INTENT TO LEASE COUNTY PROPERTY,
PURSUANT TO FLA. STAT. §125.38, TO CITY OF TALLAHASSEE,
A MUNICIPAL CORPORATION**

WHEREAS, the Leon County Board of Commissioners ("County"), a charter county and political subdivision of the state of Florida, and the City of Tallahassee ("City"), a municipal corporation, executed a Parks and Recreation Agreement dated February 19, 1996, for the purpose of providing parks and recreational facilities to residents in the unincorporated area of Leon County;

WHEREAS, the City of Tallahassee ("City") desires to lease additional space in Tom Brown Park owned by Leon County for the purposes of operating and maintaining certain bicycle trails for recreational purposes to the general public and has indicated such desire by applying to the Leon County Board of County Commissioners (the "Board") in an Agenda Request at the regularly scheduled Board meeting on September 14, 2004; and

WHEREAS, the Board is desirous of and has determined that it is in the public interest to make available to the City additional County property located in Tom Brown Park as set forth in Exhibit A (GIS Map of Tom Brown Park) as attached to the Addendum to the Parks and Recreation Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this 14th day of September, 2004, that, pursuant to Section 125.38, Florida Statutes (2004), the acreage area comprising approximately 80 acres located at Tom Brown Park, Tallahassee, Florida shall be leased to the City as set forth in the Addendum and attached Map to the Parks and Recreation Agreement, dated February 19, 1996.

Passed and adopted on this _____ day of September, 2004.

LEON COUNTY, FLORIDA

BY: _____
Jane Sauls, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Circuit Court
Leon County, Florida

BY: _____

APPROVED AS TO FORM:

OFFICE OF THE COUNTY ATTORNEY
LEON COUNTY, FLORIDA

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney

ADDENDUM TO PARKS AND RECREATION AGREEMENT

THIS ADDENDUM TO PARKS AND RECREATION AGREEMENT is made and entered into this _____ day of September, 2004, between LEON COUNTY, FLORIDA, ("County") a charter county and political subdivision of the State of Florida AND the CITY OF TALLAHASSEE, ("City") a municipal corporation.

RECITALS

WHEREAS, the County is the legal owner of that particular tract of land located in Tom Brown Park as set forth in Quitclaim Deed dated October 12, 1979, and recorded at Book 947, Page 1831, Official Records of Leon County;

WHEREAS, the County and City executed a Parks and Recreation Agreement dated February 19, 1996 for the purpose of making available County property located in Tom Brown Park to the City to provide parks and recreational facilities to residents in the unincorporated area of Leon County ;

WHEREAS, the County is desirous of and has determined that it is in the public interest to make available to the City additional County property located in Tom Brown Park as set forth in Exhibit A-(GIS Map of Tom Brown Park) of this Agreement ;

WHEREAS, the City has agreed and determines that it is in the public interest to operate and maintain certain bicycle trails on County property located in Tom Brown Park;

NOW, therefore, for and in consideration of the mutual covenants, promises, and agreements set forth herein, the sufficiency of which is acknowledged, the parties hereto agree as follows:

1. The County shall make available to the City additional County-owned property located inside Tom Brown Park as described in Exhibit A attached and incorporated in this Addendum.
2. The City agrees to assume responsibility for the continuous operation, management and maintenance of said property for the purpose of providing bicycle trails to the public for recreational uses.
3. The County reserves the right to sell the property described in Exhibit A, and agrees to provide six (6) months written notice to the City to terminate this Addendum as it relates solely to the County property described in Exhibit A of this Addendum.
4. Except as modified by this Addendum, the provisions of the Parks and Recreation Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representative, have executed this Addendum as of the dates first written above.

LEON COUNTY, FLORIDA

CITY OF TALLAHASSEE

By: _____

By: _____

JANE SAULS, Chairman

JOHN MARKS, Mayor

of the Board of County Commissioners

of the City of Tallahassee

ATTESTED TO:

ATTESTED TO:

By: _____

By: _____

ROBERT B. INZER, Clerk

Leon County, Florida

APPROVED AS TO FORM:

By: _____

HERBERT W.A. THIELE

COUNTY ATTORNEY

APPROVED AS TO FORM:

By: _____

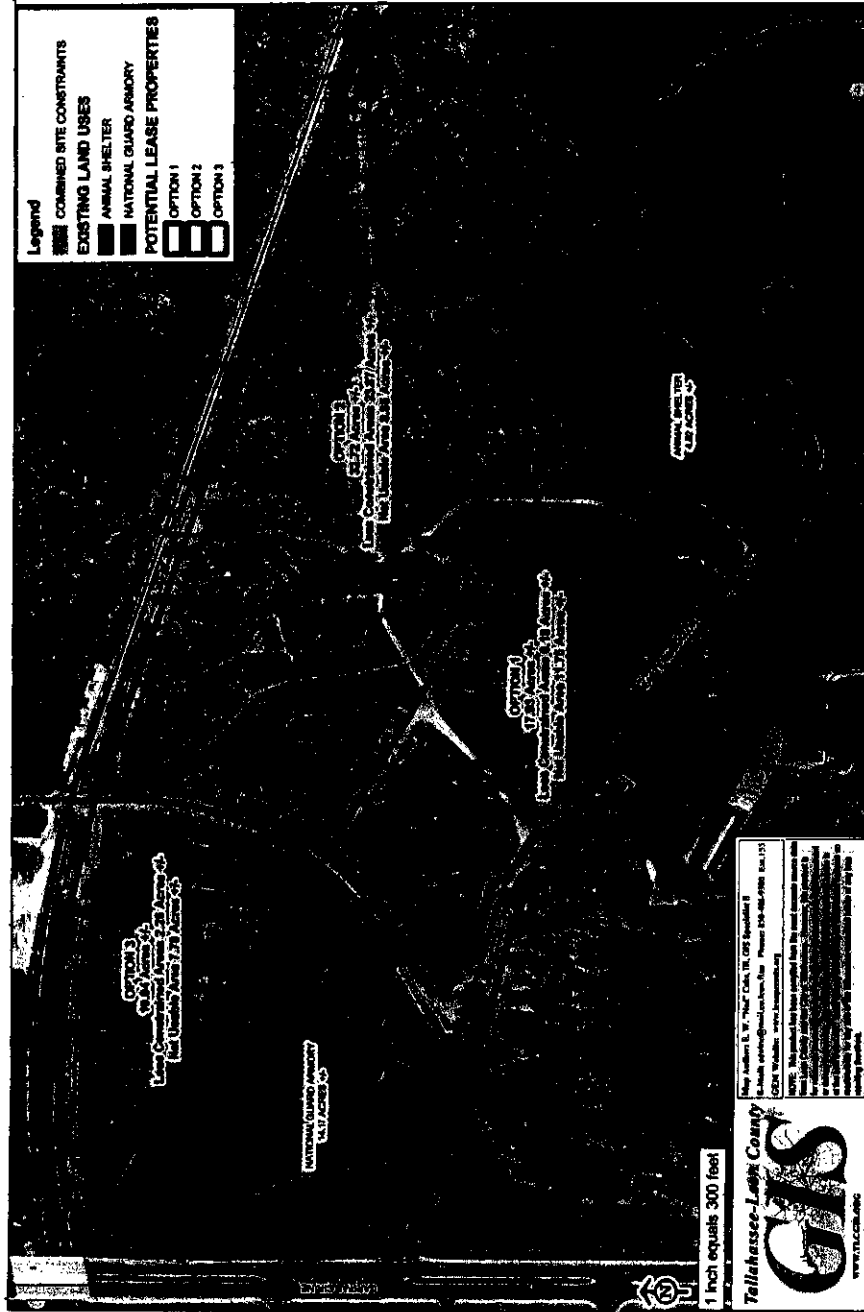
JAMES R. ENGLISH

CITY ATTORNEY

TOM BROWN PARK SITE ANALYSIS

and Natural Features Inventory

- Legend**
- COMBINED SITE CONSTRAINTS
 - EXISTING LAND USES
 - ANIMAL SHELTER
 - NATIONAL GUARD ARMORY
 - POTENTIAL LEASE PROPERTIES
 - OPTION 1
 - OPTION 2
 - OPTION 3



1 inch equals 300 feet

Tallahassee-Lee County GIS

Map Authors: E.W. "Mac" Mac, III, GIS Specialist II
 Includes aerial imagery, vector data, and other GIS data.
 GIS Data: Vector Data, Aerial Imagery, and other GIS data.
 Map Data: Vector Data, Aerial Imagery, and other GIS data.
 Map Data: Vector Data, Aerial Imagery, and other GIS data.

Estimated Acres of Individual Constrained Areas

Easements, ROW, and Existing Development

Access	1.94
Electric	6.70
Sewer	3.05
Conservation	2.46
National Guard Armory	9.77
Animal Shelter	4.51
Road ROW	10.11
*Block Easement could potentially be used for parking	

Hydrologic Features

100 Year Floodplain (54')	8.09
Wetland	4.77
Watercourse	0.09

Protected Grades

50% of Significant (10-20%)	10.00
Severe (>20%)	0.90

Lake Lafayette Special Development Zones

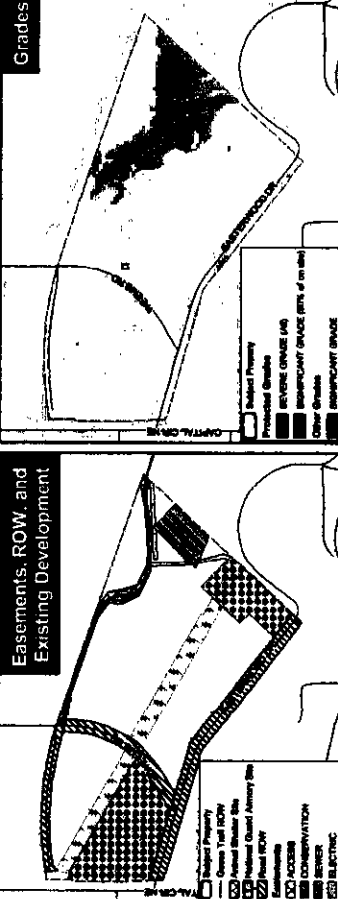
Zone A (100 Yr Floodplain)	8.09
Zone B (75% Protection)	7.57

Site Summary

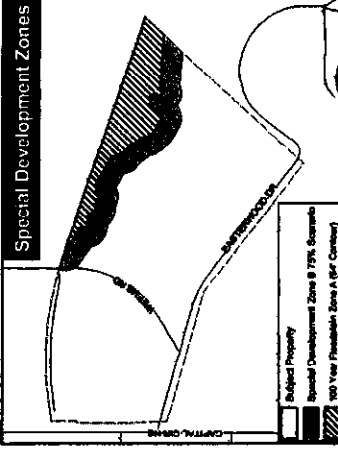
Total Site Acreage	80.00
Constrained Acreage	51.15
Net Developable Acreage	28.85

Significant archaeological or historical resources are known to occur near this area. Results of an on-site survey by a professional archeologist and review by the State Division of Historical Resources could substantially diminish developable area.

Easements, ROW, and Existing Development



Special Development Zones



Hydrologic Features

